

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEIZURE WARRANT

1. I, Aaron M. Lee, a Special Agent of the Federal Bureau of Investigation (FBI), Charleston, West Virginia Resident Agency, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND BACKGROUND

2. I am a Special Agent employed by the United States Department of Justice in the Federal Bureau of Investigation ("FBI"), and as such I am a "federal law enforcement officer" within the meaning of Fed. R. Crim. P. 41(a)(2)(C) authorized to apply for federal seizure warrants.

3. I have been employed as a Special Agent of the FBI since January of 2019. I am currently assigned to the FBI Charleston Resident Agency, Charleston, West Virginia. During my employment with the FBI, I have been involved in several investigations, including investigations into complex financial crimes, possession and distribution of controlled substances, and matters of national security. As part of my duties with the FBI, I investigate violations of federal law, including offenses enumerated in Title 18 U.S.C. § 1343. I have been the affiant on search and seizure warrants, and personally participated in the execution of search and seizure warrants and making arrests.

4. Prior to working for the FBI, I was employed as a

Correctional Officer in the West Virginia Division of Corrections and Rehabilitation and the Federal Bureau of Prisons for more than three years. During my time as a Correctional Officer, I conducted searches for contraband and investigated violent crimes occurring within West Virginia prison facilities.

5. The facts in this affidavit come from my personal observations, my training and experience, review of relevant records, and information obtained from other investigators and witnesses.

6. This affidavit is intended to show merely that there is probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

7. This ongoing investigation is financial in nature, thus, any figures I cite in this affidavit are based on calculations and tracing conducted to date and may be subject to revision at a later date.

8. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of 18 U.S.C. § 1343 have been committed by Theodore Miller ("MILLER"). There is also probable cause to seize websites facilitating those violations.

9. This affidavit is made in support of a separate application, pursuant to 18 U.S.C. §§ 2323(a)(1)(A)-(B) and 981

for the issuance of a seizure warrant for the following property (hereto and after referred to as the "Subject Domain Names"):

a. Bearlute.com and

b. Teddymiller.com.

10. The Subject Domain Names are registered with FastDomain Inc. ("FastDomain"), which is a subsidiary of Newfold Digital, Inc., with its headquarters at 5335 Gate Pkwy, 2nd Floor Jacksonville, Florida 32256. FastDomain is the domain registrar for Bluehost Inc.

11. The procedure by which the United States will seize the Subject Domain Names is described herein.

TECHNICAL BACKGROUND

12. Based on my training, experience and information learned from others, I am familiar with the following terms:

- a. Internet Protocol Address: An Internet Protocol address ("IP address") is a unique numeric address used by computers on the Internet. An IP Address is a series of four numbers, each in the range 0-255, separated by periods (e.g., 121.56.97.178). Every computer attached to the Internet must be assigned an IP address so that Internet traffic sent from and directed to that computer may be directed properly from its source to its destination. An IP address acts much like a home or business street address: it enables computers connected to the Internet to properly route traffic to each other. The assignment of IP addresses to computers connected to the Internet is controlled by Internet Service Providers ("ISPs").
- b. Domain Name: A domain name is a simple, easy-to-remember way for humans to identify computers

on the Internet, using a series of characters (e.g., letters, numbers, or other characters) that correspond with a particular IP address. For example, "usdoj.gov" and "cnn.com" are domain names.

- c. Domain Name System: The domain name system ("DNS") is, among other things, a hierarchical convention for domain names. Domain names are composed of one or more parts, or "labels," that are delimited by periods, such as "www.example.com." The hierarchy of domains descends from right to left; each label to the left specifies a subdivision, or subdomain, of the domain on the right. The right-most label conveys the "top-level" domain. For example, the domain name "www.example.com" means that the computer assigned that name is in the ".com" top-level domain, the "example" second-level domain, and is the web server.
- d. Domain Name System Servers: DNS servers are computers connected to the Internet that convert, or resolve, domain names into IP addresses. For each top-level domain (such as ".com"), there is a single company, called a "registry," that determines which second-level domain resolves to which IP address. For example, the registry for the ".com" and ".net" top-level domains is VeriSign, Inc., which has its headquarters at 487 East Middlefield Road, Mountain View, California.
- e. Redirect: A domain name redirect occurs when a user enters the domain name of a website into the address bar of their internet browser and is automatically forwarded to another website, or "landing page," with a different domain name.
- f. Registrar & Registrant: Domain names may be purchased through a registrar, which acts as the intermediary between the registry and the purchasers of the domain name. The individual or business that purchases, or registers, a domain name is called a "registrant." Registrants control the IP address, and thus the computer, to which their domain name resolves. Thus, a registrant may easily move a domain name to another computer anywhere in the world. Typically, a registrar will provide a registrant with the ability to change the IP address a particular IP address resolves to

through an online interface. Registrars typically maintain customer and billing information about the registrants who used their domain name registration services.

- g. Registry: An internet domain registry is an entity that receives domain name service (DNS) information from domain name registrars, inserts that information into a centralized database and propagates the information in Internet Zone files on the Internet so that domain names can be found by users around the world via world wide web and email. VeriSign is the exclusive registry for the .com and .net top-level domains.
- h. Secure Sockets Layer: The Secure Sockets Layer ("SSL") is a certificate that provides authentication. This means the consumer can be sure that they are sending information to the correct server and not to a criminal's server. Trusted SSL providers will only issue an SSL certificate to a verified company that has gone through several identity checks. In addition to providing authentication, the SSL also provides encryption. The SSL is used to keep sensitive information sent across the Internet encrypted so that only the intended recipient may read it.

Information sent on the Internet is passed from computer to computer to get to the destination server. Any computer in between may be able to see credit card numbers, usernames and passwords, and other sensitive information if it is not encrypted with an SSL certificate. When an SSL certificate is used, the information becomes unreadable to everyone except for the server one is sending information to. This protects it from hackers and identity thieves. SSL providers also ensure that the domain names are free from any malware by performing daily malware checks.

- i. Merchant Service Provider: A company that helps businesses process and accept payments from customers. Acting as a middleman between the business, the customer, and financial institutions.
- j. Payment Processing Platform: This is a digital system that enables businesses to receive payments from

customers and exchange funds between them. These platforms allow businesses to accept a variety of payment methods, including credit cards, digital wallets, and mobile transactions.

PROBABLE CAUSE

13. The FBI initiated this investigation on March 14, 2023, based on a complaint it received from the West Virginia Securities Commission. The West Virginia Securities Commission reported to the FBI that MILLER was selling unregistered securities.

Relevant Persons and Entities

14. MILLER is a United States citizen and a permanent resident of South Charleston, Kanawha County, West Virginia, within the Southern District of West Virginia. MILLER remained outside the United States from on or about February 12, 2022, to on or about August 8, 2024.

15. Based on publicly available information, MILLER owns several businesses registered in the State of West Virginia including, but not limited to, Bear Industries LLC, a real estate investment company, and T&C Construction LLC, a construction company.

16. Based on publicly available information, Bear Industries LLC is a single-member limited liability company registered in the State of West Virginia. Its sole member is MILLER. Its business address has been located in Charleston, Kanawha County, West

Virginia, and Saint Albans, Kanawha County, West Virginia, within the Southern District of West Virginia.

17. D.D. resides in South Charleston, Kanawha County, West Virginia, within the Southern District of West Virginia. D.D. is an active participant in MILLER's businesses. In particular, she holds herself out as the Vice President of Bear Industries LLC. At all relevant times, D.D. regularly managed finances, signed documents, facilitated business deals and transactions, and handled business communications. D.D. acted as THEODORE MILLER's agent while he remained outside of the United States.

18. Fifth Third Bankcorp ("Fifth Third") is an FDIC-insured bank with branches throughout the Southern District of West Virginia, including Charleston, Kanawha County, West Virginia. It is a financial institution within the meaning of 18 U.S.C. § 20.

19. Paypal, Inc. ("Paypal") is a merchant service provider payment processing platform. The company is headquartered in San Jose, California. Its servers are located in Utah, Arizona, and Nevada. Users can link their bank accounts and transfer money to another user using wire communications through the Internet.

20. Stripe, Inc. ("Stripe") is a merchant service provider payment processing platform. Stripe has dual headquarters in San Francisco, California, and Dublin, Ireland. Its servers are located outside the state of West Virginia. Users can link their

bank accounts and transfer money to another user using a wire communication through the Internet.

Bear Lute

21. MILLER controls a real estate investment program, "Bear Lute," which is affiliated with Bear Industries LLC. As part of Bear Lute, investors give MILLER money to invest in real estate properties on the promise that they will achieve an extraordinary rate of return over a period of months or years. Bear Lute is administered primarily through bearlute.com.

22. MILLER promotes Bear Lute through social media, where he has amassed a large following. He regularly posts videos and other information promoting Bear Lute and directing viewers to bearlute.com.

23. MILLER maintains the Subject Domain Names that are dedicated to soliciting investments with MILLER through Bear Lute.

24. **Bearlute.com.** Bearlute.com is a website dedicated to soliciting investments for Bear Lute. It is the primary webpage for Bear Lute. Investors can invest in Bear Lute directly through the website using Stripe, and after they have invested, they are given access to a web-based investor interface ("Investor Dashboard") associated with bearlute.com.

25. Since August 8, 2024, bearlute.com has been intermittently unavailable to the public.

26. As of September 10, 2024, bearlute.com contained the following representations regarding the program and MILLER, among others:¹

- a. "Our founder Teddy Miller started the company mid 2018 as a side business to create passive income in addition to his construction company and other businesses. At first he was very skeptical, and had no idea he had just created something that would eventually change his life." (<https://bearlute.com/about-us/>)
- b. "Bearlute is an investment product of Bear Industries designed to essentially allow everyday individuals to become the bank and lend money to Bear Industries for their real estate projects. Which consist of rebuilding abandoned and distressed properties into modern and affordable rental property that is designed to turn an incredible profit while also making a difference in the community around it." (<https://bearlute.com/>)
- c. "Bear Industries is a real estate development company that operates throughout the United States specialize in the rebuilding of abandoned and distressed properties into affordable, modern rental property to either be held or sold for a profit." (<https://bearlute.com/about-us/>)
- d. "Bear Industries has holdings in multiple locations, produces several million in annual revenue, and 20% of their current funding comes directly from investors. Who have been extremely happy with their success with this company." (<https://bearlute.com/about-us/>)

27. As of September 10, 2024, the "How it Works" section of bearlute.com outlined the steps for how Bear Lute functioned. (<https://bearlute.com/how-it-works/>):

¹ Quotations from websites have not been altered unless noted. Typographical and grammatical mistakes are original to the websites.

- a. First, investors "SIGN UP AND DEPOSIT FUNDS[.] You can choose from one of your standard investment plans or choose to invest a lump sum into your account."
- b. Second, investors "START EARNING INTEREST[.] From the moment you deposit funds into your account you will start earning 6% annum interest which will be deposited monthly into your account."
- c. Third, investors "RECEIVE QUARTERLY GIFTS[.] Every 3 months you are eligible to receive a gift based on the average balance of your account and the profitability of our projects in that time."
- d. Fourth, investors "REINVEST YOUR PROFITS TO MAKE MORE MONEY[.] All interest and gifts are automatically accrued and put to work making you additional profit unless you opt to receive them."



28. As of September 10, 2024, bearlute.com promised consistent standard returns, that the investment was "safe and secure," and that funds would be returned within 60 days upon request.

EXPECTATIONS

When you Invest with Bearlute.com you are partnering with Bear Industries and Teddy Miller on their path to build a bigger empire, and with that comes some perks!



CONSISTENT STADARD
RETURN



MONEY IS SAFE AND
SECURE



60 DAYS RETURN OF
INVESTED CASH

29. As of September 10, 2024, bearlute.com explained that after an investor invests in the Bear Lute Program, he or she will "be given exclusive access to your investment portal" where the investor can "Track Your Deposits[;] Track Your Interest Payments[;] Track You Quartely Gifts[;] Monitor Your Current Investment Performance[;] Monitor Your Expected Annual Return[;] Adjust your Investment Plan[;] Access Exclusive Direct Investment Opportunities for Bear Investors to Make More Money[;] And so much more!" (<https://bearlute.com/exclusive-access/>)



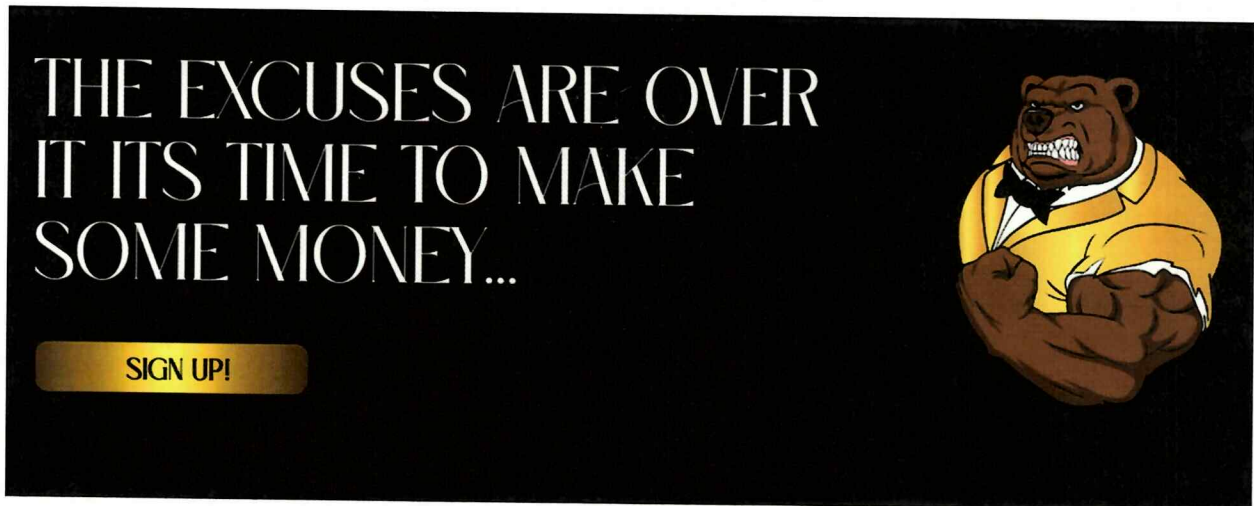
EXCLUSIVE ACCESS

WHEN YOU SIGN UP FOR BEARLUTE YOU ARE GIVEN EXCLUSIVE ACCESS TO YOUR INVESTMENT PORTAL WHERE YOU CAN

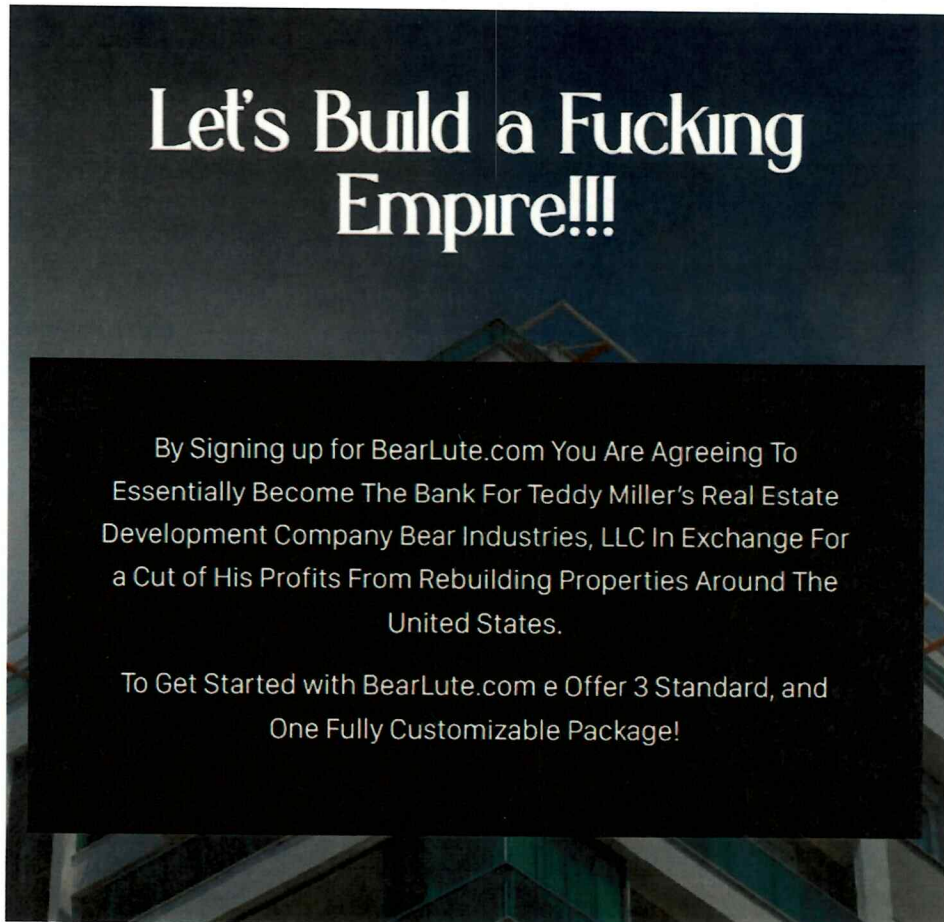
- ✓ Track Your Deposits
- ✓ Track Your Interest Payments
- ✓ Track You Quartely Gifts
- ✓ Monitor Your Current Investment Performance
- ✓ Monitor Your Expected Annual Return
- ✓ Adjust Your Investment Plan
- ✓ Access Exclusive Direct Investment Opportunities for Bear Investors To Make More Money
- ✓ And so much more!

LEARN MORE

30. As of September 10, 2024, bearlute.com contained several "Sign Up" buttons that directed visitors to bearlute.com/signup.

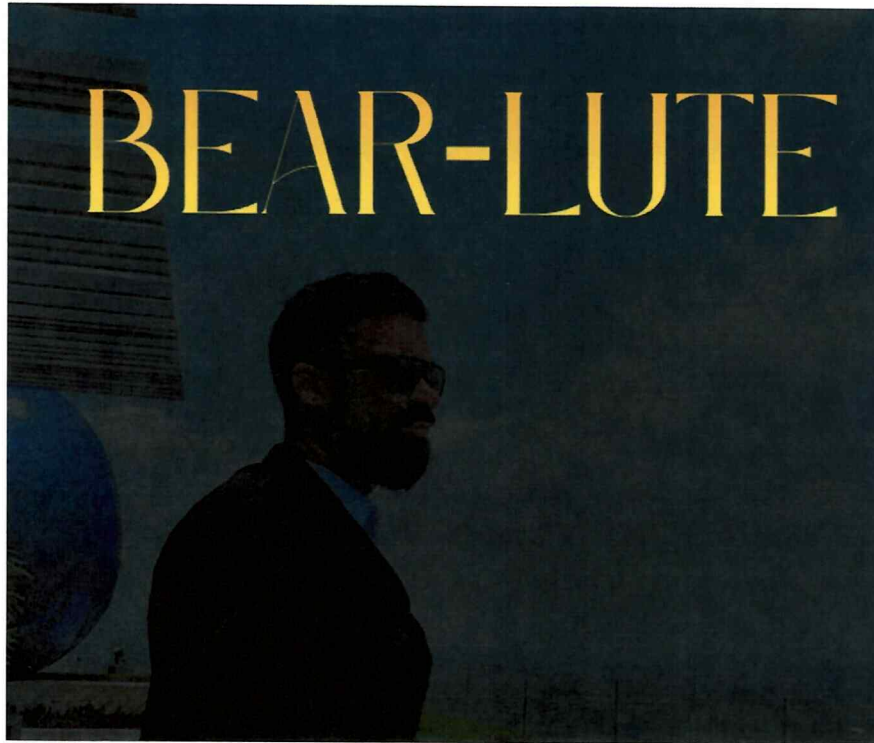


31. Bearlute.com/signup contained the following representation: "Let's Build a Fucking Empire!!! By Signing up for BearLute.com You Are Agreeing To Essentially Become The Bank For Teddy Miller's Real Estate Development Company Bear Industries, LLC In Exchange For a Cut of His Profits From Rebuilding Properties Around The United States." Investors could choose between different investment packages and could invest money directly by using an online payment system.



32. As of September 10, 2024, [bearlute.com's](https://bearlute.com/terms-and-conditions-2/) associated Terms of Service page (<https://bearlute.com/terms-and-conditions-2/>) provided that investors' "membership includes access to an exclusive server for you to monitor your account, adjust your monthly deposits, request a withdrawal, and see your projected annual return based on your current settings." It also provided that "Every Withdraw From BearLute.com is processed and completed within 60 days following the initial request. This is due to your funds being used in active projects, and it takes time to reallocate the cash without stalling a projects completion."

33. As of September 10, 2024, Bearlute.com contained pictures of MILLER.

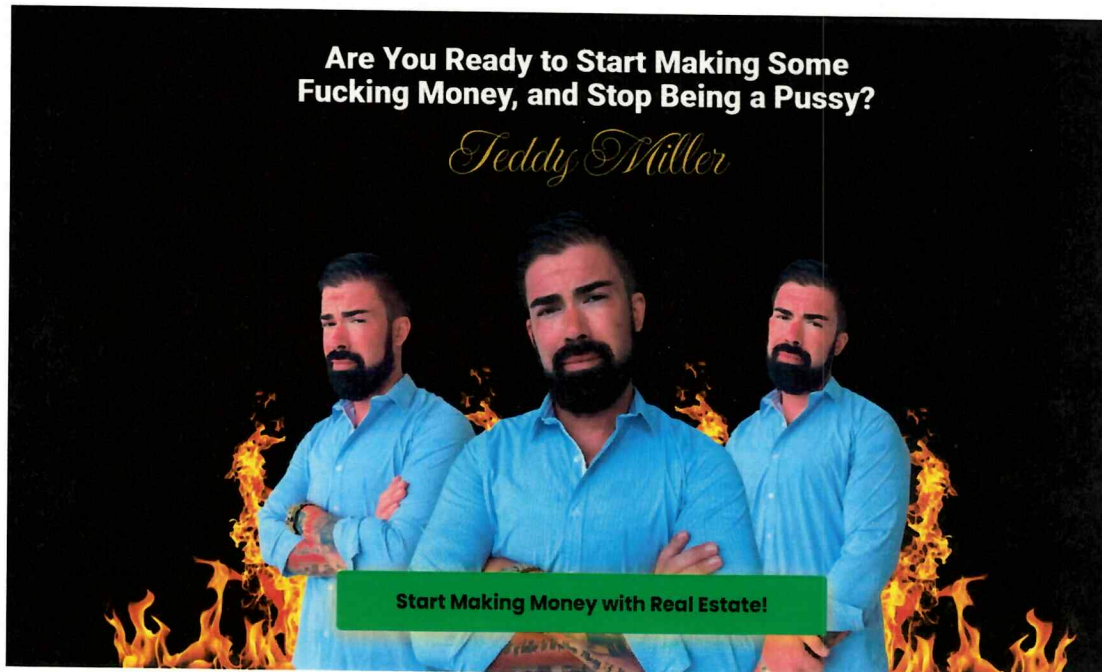


34. Upon information and belief, at all times relevant to this complaint, bearlute.com maintained representations substantially similar to or the same as those noted above.

35. **Teddymiller.com.** As of the date of this affidavit, teddymiller.com is a website dedicated to promoting Bear Lute, MILLER personally, and MILLER's social media sites.

36. As of September 10, 2024, teddymiller.com welcomed visitors with a banner that stated, "Are You Ready to Start Making Some Fucking Money, and Stop Being a Pussy? Teddy Miller[.]" Underneath the banner was a statement "Start Making Money with

Real Estate!" and a button, "Make Money!", that directed visitors to bearlute.com. Teddymiller.com also stated that "Teddy Miller is the founder of BearLute.com the first Real Estate Investment program of its kind to provide investors record breaking returns safely."



Start Making Money with Teddy Miller Today!

Make Money!

About Teddy Miller

Teddy Miller is the founder of BearLute.com the first Real Estate Investment program of its kind to provide investors record breaking returns safely. In addition to this Miller is also a successful Entrepreneur, Real Estate Developer, Real Estate Investor with Hundreds of Rental Properties, Business Mentor, Social Media Influencer, and So Much More!!

Teddy Miller believes it is possible to make great money in Real Estate while also making a true impact in the communities he is working.

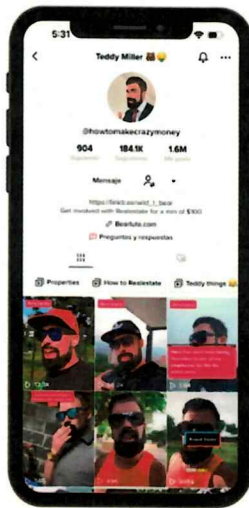
About Teddy



37. As of September 10, 2024, teddymiller.com contained pictures of MILLER.

38. As of September 9, 2024, teddymiller.com also referred

visitors to MILLER's social media sites.



HowToMakeCrazyMoney is a safe environment for you to learn to not be a Pussy and make some Real Fucking Money! Teddy Miller releases new content on a weekly basis that although maybe offensive from time to time is also extremely informative. If you're ready to check it out click the link below

Start Learning

Victims E.S. & B.W.

39. On or about August 14, 2022, victim B.W. signed up for Bear Lute after viewing bearlute.com. He began making monthly investments of \$2,500, in reliance on MILLER's misrepresentations and promises about Bear Lute, some of which appeared on bearlute.com.

40. B.W.'s deposits were deducted from his bank account in Texas, processed by Paypal, and deposited in MILLER's bank account ending in 5154 in the name of T&C Construction LLC at Fifth Third in Charleston, West Virginia, on the following dates: August 15, 2022, September 15, 2022, October 13, 2022, November 20, 2022, and December 12, 2022.

41. On or about October 12, 2022, E.S. signed up for Bear Lute after viewing bearlute.com. He made a one-time deposit of \$5,000, in reliance on THEODORE MILLER's representations and promises about Bear Lute, some of which appeared on bearlute.com.

42. E.S.'s deposit was deducted from his bank account in Texas, processed by Paypal, and deposited in THEODORE MILLER's bank account ending in 5154 in the name of T&C Construction LLC at Fifth Third in Charleston, West Virginia. E.S.'s money was deducted in two \$2,500 increments on or about October 13 and 14 of 2022.

43. Nearly all of MILLER's representations and promises about Bear Lute on bearlute.com were untrue.

44. Based on a review of financial records, investor funds were not pooled and deployed on real estate projects or transactions as described. Rather, as the Bear Lute funds were available, MILLER used the funds to his and D.D.'s personal benefit and to the benefit of MILLER's other businesses.

45. MILLER did not perform any cash out refinances on properties that would have generated returns in excess of 6 percent for Bear Lute investors.

46. The returns and quarterly distributions investors could view in the investor dashboard were not based on any real account figures. While the investor dashboard showed investments

"growing," MILLER's businesses' total available cash was consistently decreasing.

47. MILLER did not honor withdraw requests within 60 days. Specifically, MILLER never returned B.W.'s and E.S.'s investments after they made withdraw requests.

48. MILLER also failed to disclose to investors, including B.W. and E.S., that the West Virginia Securities Commission ordered him to cease and desist operating Bear Lute in or around November of 2022.

49. MILLER ceased all communications with investors E.S. and B.W. after they made requests for withdrawal.

THE SUBJECT DOMAIN NAMES

50. A search of publicly available domain name registration records revealed the following information for the domains:

a. bearlute.com was registered on June 10, 2022, through the registrar FastDomain;

b. teddymiller.com was registered on November 30, 2022, through the registrar FastDomain;

STATUTORY BASIS FOR SEIZURE AND FORFEITURE

51. 18 U.S.C. § 981(b) provides, in relevant part, that any property, real or personal, which represents or is traceable to the gross receipts obtained, directly or indirectly in violation of 18 U.S.C. § 1343 are subject to civil forfeiture to the United States Government.

52. 21 U.S.C. § 853(e) & (f) by 28 U.S.C. § 2461 provides, in relevant part, that any property, real or personal, involved in or any property traceable to such property involved in a violation of 18 U.S.C. § 1343 shall be forfeited to the United States.

53. 18, U.S.C. § 981(b)(1) authorizes seizure of property subject to civil forfeiture based upon a warrant supported by probable cause. 18, U.S.C. § 981(b)(3) permits the issuance of a seizure warrant by a judicial officer in any district in which a forfeiture action against the property may be filed and may be executed in any district in which the property is found.

54. Neither a restraining order nor an injunction is sufficient to guarantee the availability of the Subject Domain Names for forfeiture. By seizing the Subject Domain Names and redirecting them to another website, the Government will prevent the ongoing fraud, keep third parties from acquiring the name and using it to commit additional crimes. Furthermore, seizure of the Subject Domain Names will prevent third parties from continuing to access the website.

55. As set forth above, there is probable cause to believe that the Subject Domain Names are subject to both civil and criminal forfeiture because they were used to commit wire fraud.

SEIZURE PROCEDURE

56. As detailed in Attachment A, upon execution of the seizure warrant, FastDomain (the registrar for the Subject Domain Names) shall be directed to restrain and lock the Subject Domain Names pending transfer of all right, title, and interest in the Subject Domain Names to the United States upon completion of forfeiture proceedings to ensure that changes to the Subject Domain Names cannot be made absent court order or, if forfeited to the United States, without prior consultation with the FBI and/or the United States Department of Justice.

57. In addition, upon seizure of the Subject Domain Names by the FBI, the FBI will be directed to associate the Subject Domain Names to a new authoritative name server(s)² to be designated by a law enforcement agent.

² According to the Internet Assigned Numbers Authority, an authoritative name server is a DNS server that has been designated to answer authoritatively for the designated zone and is being requested to be listed in the delegation. It is recorded by its fully qualified domain name, potentially along with its IP address.

CONCLUSION

58. Based on the information contained in this affidavit I submit that there is probable cause to believe that the Subject Domain Names are property that have been used, or are intended to be used, to commit or facilitate wire fraud and money laundering. Accordingly, the Subject Domain Names are subject to civil forfeiture and criminal forfeiture.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Respectfully submitted by:



Aaron M. Lee, Special Agent
Federal Bureau of Investigation

Signed and sworn to by telephone this 12th day of September, 2024.



Omar J. Aboulhosn
United States Magistrate Judge